# Morgan Lewis

#### Tamar E. Finn

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August 20, 2018

#### Via ECFS

Marlene H. Dortch, Secretary Federal Communications Commission 445 12th Street, S.W. Washington, DC 20554

Re: CC Docket No. 02-6 – Ex Parte Submission

Dear Ms. Dortch:

U.S. TelePacific Corp. d/b/a TPx Communications<sup>1</sup> ("TPx") submits this errata filing that corrects a number in the chart attached to its August 16, 2018 *ex parte* submission regarding its Request for Review of a Universal Service Administrative Company ("USAC") Decision on the provision of services to Coachella Valley Unified School District ("CVUSD").

Please contact the undersigned if you have any questions.

Sincerely,

/s/ Tamar E. Finn

Tamar E. Finn

Counsel to U.S. TelePacific Corp. d/b/a TPx

cc: (Via E-Mail)
James Bachtell
Mark Nadel

Formerly TelePacific Communications and referred to herein as TPx.

Morgan, Lewis & Bockius LLP

## **Morgan Lewis**

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### Via ECFS

Marlene H. Dortch, Secretary Federal Communications Commission 445 12th Street, S.W. Washington, DC 20554

Re: CC Docket No. 02-6 – Ex Parte Submission

Dear Ms. Dortch:

U.S. TelePacific Corp. d/b/a TPx Communications<sup>1</sup> ("TPx") submits this *ex parte* letter to supplement its filings regarding its Request for Review of a Universal Service Administrative Company ("USAC") Decision regarding the provision of services to Coachella Valley Unified School District ("CVUSD").<sup>2</sup>

The attached chart shows, for each Funding Year 2008 through 2011, the pre-discount amount for CVUSD's voice FRN, the discount percentage, the non-discounted amount CVUSD was responsible for paying, the credit balance from the previous funding year, the amount CVUSD actually paid TPx towards Funding Year invoices, the net amount TPx received from the California Teleconnect Fund ("CTF"), the E-rate credit balance to be issued after the Funding Commitment Decision Letter ("FCDL") was received, and the cumulative E-rate balance (to be issued after FCDL received).<sup>3</sup>

TPx is filing the attached revised chart to replace the chart it filed in January 2018:<sup>4</sup> The total amount outstanding for FRN 2198848 that TPx asks the FCC to direct USAC to pay

Formerly TelePacific Communications and referred to herein as TPx.

<sup>&</sup>lt;sup>2</sup> See Request for Review by U.S. TelePacific Corp. of Decision of the Universal Service Administrator, CC Docket No. 02-6 (filed Sept. 3, 2015).

The chart also shows the amount TPx billed to USAC, the amount disbursed by USAC for each Funding Year, and the remaining amount to be paid to TPx by USAC.

See Ex Parte Submission by U.S. TelePacific Corp., CC Docket No. 02-6 (filed January 17, 2018).

Marlene H. Dortch, Secretary August 16, 2018 Page 2

is \$127,017.46. TPx explained in its Supplement that the FCC also should direct USAC to pay TPx \$34,299.74 for MPLS and point-to-point services that were not duplicative to three CVUSD sites. USAC reimbursed TPx for services provided December 2011 through June 2012 to these three sites, but did not reimburse TPx for services provided to the same three sites July 2011 through November 2011.

Please contact the undersigned if you have any questions.

Sincerely,

/s/ Tamar E. Finn

Tamar E. Finn

Counsel to U.S. TelePacific Corp. d/b/a TPx

Enclosed: CVUSD FCC Chart

cc: (Via E-Mail)
James Bachtell
Mark Nadel

Α	В	D	E	н	К	L	М	0	P	R	S		Т	U
FY	FRN	Pre-Discounted Amount from SPI	Discount %	Non- discounted amount (School's Share) of Pre- Discounted Amount from SPI <sup>1</sup>	Credit Balance from Previous Funding Year <sup>2</sup>	CVUSD Payments toward Funding Year Invoices	Net Amount TPx Received from CTF	E-rate Credit Balance (to be issued after FCDL received)	Cumulative E-rate Credit Balance (to be issued after FCDL received)	Date FCDL Issued	Invoiced to USAC		Disbursed by USAC	Remaining to be paid to U.S. TelePacific Corp by USAC
2008	1763826	\$ 164,095.57	89%	\$ 19,517.01	\$ (38,359.87) <sup>3</sup>	\$ 134,234.60	\$ 14,217.31 <sup>4</sup>	\$ 144,578.26 <sup>5</sup>	\$ 144,578.26	12/15/2010	\$	144,578.56	\$ 144,578.56	\$ -
2009	1907123	\$ 162,615.43	90%	\$ 15,895.06	\$ (3,599.30) <sup>6</sup>	\$ 156,033.97	\$ 14,118.96 <sup>7</sup>	\$ 146,101.76 <sup>8</sup>	\$ 290,680.02	8/4/2010	\$	146,720.37	\$ 146,720.37	\$ -
2010	2095454	\$ 134,205.68	88%	\$ 6,602.71	\$ (104.33) <sup>9</sup>	\$ 23,804.15	\$ 7,276.96	\$ 117,602.97	\$ -	1/27/2011	\$	117,602.97	\$ 117,602.97	\$ -
2011	2198848	\$ 171,519.10	89%	\$ 8,248.12	\$ (59,146.63) <sup>10</sup>	\$ 8,064.07	\$ 5,097.11	\$ 151,971.39 <sup>11</sup>	\$ -	11/22/2011	\$	153,270.98	\$ 24,335.02	\$ 128,935.96
								\$ 560,254.38			\$	562,172.88		\$ (1,918.50) <sup>12</sup>
														\$ 127,017.46

The non-discounted amount likely does not equal 10, 11 or 12% exactly because of various adjustments that were made to CVUSD invoices (e.g., out of service credits, miscellaneous credits, etc.). The amounts listed in Column O include corrections to the originally billed amounts and in each case result in e-rate reimbursement being slightly less than the 90, 89, or 88% discount.

The credit balance forward at the beginning of the 2008 Funding Year is the result of the eight monthly credits that were applied for the 2007 Funding Year on the March 16, 2008 invoice. Starting with the April 2008 invoice, CVUSD received monthly credit for the charges on the previous invoice which perpetuated the credit balance through the end of the funding year. The adjustment of \$15,512.95 is the combined E-Rate and CTF credits for the June 2008 invoice (the last invoice of the 2007 funding year).

<sup>&</sup>lt;sup>2</sup> Corresponds to the Balance Forward on the July Invoice for each funding year. This amount = Previous Bill Amount - Payments – Adjustments.

Previous Bill Amount = (\$22,846.92) - Payments = \$0 - Adjustments = \$15,512.95 = Balance Forward = (38,359.87)

CTF issued prior to E-Rate approval; Final Net CTF after E-Rate = \$6,125.60.

Original SPI submitted was \$0.30 more than was credited to customer account.

Previous Bill Amount = \$28,728.93 - Payments = \$31,105.49 - Adjustments = \$1,222.74 = Balance Forward = (\$3,599.30). Note: The Payments and Adjustments included amounts listed in Columns K and L for the 2008 FY.

<sup>&</sup>lt;sup>7</sup> CTF issued prior to E-Rate approval; Final Net CTF after E-Rate = \$4,701.99.

Due to calculation errors regarding internal TelePacific Credits issued for E-Rate eligible services, the SPI originally submitted was \$618.61 more than it should have been.

<sup>9</sup> Previous Bill Amount = \$13,150.20 - Payments = \$13,150.20 - Adjustments = \$104.33 = Balance Forward = (\$104.33).

Previous Bill Amount = (\$48,288.26) - Payments = \$0 - Adjustments = \$10,858.37 = Balance Forward = (59,146.63). Note: The Previous Bill Amount comes from E-Rate credits listed in Column O.

Due to calculation errors regarding the July invoice and failure to remove an ineligible Fee from several invoices, the SPI originally submitted was \$1,299.59 more than it should have been.

See comments in Column O Rows 2,3, and 5 regarding calculation errors on the original SPIs. These resulted in claims \$1,918.50 more than they should have been: 2008FY = \$0.30

<sup>2009</sup>FY = \$618.61

<sup>2011</sup>FY = \$1,299.59

Total = \$1,918.50